

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIK LYBARGER, :
Petitioner :
v. : Case No. 3:14-cv-40-KRG-KAP
KEN CAMERON, WARDEN, :
S.C.I. HOUTZDALE, :
Respondent :

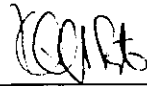
Report and Recommendation

Petitioner's "Motion To Alter or Amend ..." at docket no. 8, and "Motion of Objections..." at docket no. 13, which I consider to be a single motion under Fed.R.Civ.P. 59, was referred to me under 28 U.S.C. § 636(b)(3). The motion should be denied.

The motion does not suggest an intervening change in controlling law or the availability of new evidence, and does not show the need to correct a clear error of law or prevent manifest injustice, see Wiest v. Lynch, 710 F.3d 121, 128 (3d Cir.2013) (discussing three purposes of motion under Fed.R.Civ.P. 59): it simply re-argues that the court was wrong in dismissing the petition for a writ of habeas corpus.

Pursuant to 28 U.S.C. § 636(b)(1), the parties are given notice that they have fourteen days to serve and file written objections to this Report and Recommendation.

DATE: Aug. 19, 2014



Keith A. Pesto,
United States Magistrate Judge

Notice to counsel of record by ECF and by U.S. Mail to:
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